

**ASSISTANCE TO THE  
PALESTINIAN LEGISLATIVE COUNCIL**

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**EQUIPMENT AND  
LEGAL RESOURCE MATERIAL  
REPORT AND NEEDS ASSESSMENT**

*Submitted to:*

USAID/West Bank and Gaza

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Prepared Under Contract #: 294-C-00-99-00156-00  
Assistance to the Palestinian Legislative Council

**31 May 2000**

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## I. Introduction

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This report is a deliverable under the contract between the U.S. Agency for International Development (USAID) and ARD, Inc. (ARD) -- *Assistance to the Palestinian Legislative Council, Contract No. 294-C-00-99-00156-00* (PLC2). The report assesses the equipment and legal resource needs of the Diwan al-Fatwa wa al-Tashr'ie (the Diwan) and of the legal department of the Palestinian Legislative Council (PLC Legal Department). The PLC Legal Department is responsible for providing legal support to PLC Members, including support in drafting bills and amendments. The Diwan is the agency in the executive branch that has primary responsibility for drafting legislative proposals for submission to the PLC. In addition to legislative drafting, the Diwan is also responsible for drafting contracts for the executive branch, publishing the *Official Gazette*, and providing legal opinions and advice.

This report supports Result A.3 of ARD's contract with USAID, which calls for an institutionalized PLC capacity to draft and review legislation and for improved legislative drafting from the Diwan based on a unified legislative drafting format. The provision of efficient and effective legislative drafting services requires not only talented, well-trained legal staff,<sup>1</sup> but also a basic level of material support – in terms of both equipment and legal resource materials. This report assesses the needs of the PLC Legal Department and the Diwan with respect to these materials. This report will guide ARD's procurement of equipment and legal resource materials for the Diwan and the PLC Legal Department during ARD's three-year contract.

The needs assessment presented in this report was carried out using two primary methods. First, technical experts provided an external evaluation of the needs of the PLC Legal Department and the Diwan. Equipment needs were assessed by ARD's information technology consultant, Kim Glenn. Although the focus of his consultancy was on the information technology needs of the PLC as a whole, Mr. Glenn also assessed the information technology needs of the Diwan and PLC Legal Department. Legal resource needs were assessed by our local staff members. Tareq Abed Shafi, who is based in Gaza and works closely with the Diwan, conducted a review of the legal resources available in the Diwan Library and the PLC Library in Gaza. Mutaz Qafisheh, an ARD local consultant assigned to work with the PLC Legal Department on legal research issues, has conducted a similar review of the PLC Library in Ramallah. Second, ARD prepared a questionnaire for the staff of the Diwan and the PLC Legal Department regarding their equipment and legal resource needs. The tabulated results of this questionnaire are contained in Appendix A. This questionnaire was supplemented by interviews with staff of the Diwan and the PLC Legal Department. ARD believes that this variety of approaches has helped to balance the report's recommendations.

This report is divided into four sections. Section I explains the report's purpose and methodology. Section II provides a detailed analysis of the *equipment needs* of both the Diwan and the PLC Legal Department. It examines some of the general equipment issues affecting both

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<sup>1</sup>ARD has previously submitted to USAID its three-year work plan for developing the legislative drafting staff of the Diwan and the PLC Legal Department. This document, entitled *Legislative Drafting and Review Three-Year Workplan (October 1, 1999 - September 30, 2002)*, was submitted on March 31, 2000.

the Diwan and the PLC Legal Department, and then provides specific recommendations for both the Diwan and the PLC Legal Department. Section III contains a similar analysis of the *legal resource needs* of both the Diwan and the PLC Legal Department. In addition to recommending procurement of certain additional legal resource materials, the section explores other options for accessing legal resource materials, such as providing access to on-line legal libraries and entering into interlibrary borrowing arrangements. Section IV discusses ARD's strategies for improving access to, and utilization of, ICT equipment and legal resources. While this report is not intended to serve as a work plan, many of the issues discussed in this report suggest project activities that can improve the use of equipment and legal resource materials by the Diwan and the PLC Legal Department. Section IV discusses ARD's strategies for implementing the specific recommendations made in Sections II and III of the report.

## II. Equipment Usage and Needs

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In order for legislative drafting to be done effectively and efficiently, legislative drafting offices require a high level of information and communications technology (ICT) support. Such offices, regardless of whether they are located in the executive branch or the legislative branch, have substantial document production needs. Legislative drafts go through multiple revisions and amendments. Legislative drafters are frequently asked to prepare memorandum discussing the effect of a given legislative proposal or providing possible options for modifying the proposal to achieve different policy objectives. Production of these documents requires word processing equipment, including computers and printers. Legal advisers often collaborate on particular drafts; this is difficult to do unless they are on the same computer network. Computers are also playing an ever-increasing role in legal research.

Because of the relatively high number of actors who participate in the legislative process, adequate communications equipment is also a prerequisite of a well-functioning legislative drafting office. Legislative drafters need to be able to communicate with PLC Members, relevant Ministry staff, members of the NGO community, and experts regarding the content of particular legislative drafts. This communication is typically done by a combination of telephone, fax, mail, and e-mail. This section reviews the current ICT usage and needs of the Diwan and the PLC Legal Department, first by discussing general issues that are common to the Diwan and the PLC Legal Department, and then by discussing the particular issues facing these respective institutions.

### A. General Observations

In reviewing the equipment usage and needs of the PLC Legal Department and the Diwan, a number of common themes emerged. In particular, the following ICT issues are faced by both the Diwan and the PLC Legal Department.

***Greater connectivity between Gaza and Ramallah offices.*** Both the Diwan and the PLC Legal Department have offices in Ramallah and Gaza City. Currently, technology is not being fully utilized to help bridge the geographic and political distance between these two locations. Neither the Diwan nor the PLC Legal Department currently has a wide area network (WAN) to connect their Gaza and Ramallah offices, although ARD is in the process of implementing the wide area network for the PLC. Communication between the Gaza and Ramallah offices relies primarily on fax and telephone; e-mail is not widely used by either the Diwan or the PLC Legal Department.

***Underutilization of currently available equipment.*** In both the Diwan and the PLC Legal Department, many ICT resources are currently underutilized. Computers are not being used as extensively as they could be. With some notable exceptions, many of the computers are turned off when ARD staff visits the Diwan and the PLC Legal Department. In some cases, the problem is a lack of computer training. In others, it is insufficient typing skills. In still other cases, the constraint is an outdated perception that typing and composing documents on computers is beneath a legal adviser, and is more appropriately done by a secretary.

**Limited ICT support.** Both the PLC Legal Department and the Diwan have limited human resources for ICT support. The Diwan receives its ICT support from the staff of the Ministry of Justice. The ICT support for the PLC appears to be even weaker. It is essential that support issues be considered in all hardware or software procurement that is done for the Diwan or the PLC Legal Department.

## **B. The Diwan**

A number of institutional characteristics of the Diwan must be considered in assessing its ICT needs. First, administratively, the Diwan is part of the Ministry of Justice, which provides ICT support for the Diwan. The Ministry of Justice's general ICT needs and support need to be considered in developing ICT solutions for the Diwan. In contrast, the Diwan does not appear to rely on Ministry support for library services. The Diwan maintains its own small library in Gaza, staffed by one staff member. Second, the Diwan is less evenly staffed in Gaza and Ramallah than is the PLC Legal Department. The vast majority of the Diwan's staff is based in Gaza, and the Ramallah office operates as a secondary or "branch" office. The Ramallah office staff is not utilized as effectively as the Gaza staff, both because of the relatively small size of the Ramallah office and because the head of the Diwan, Ibrahim al-Dougme, is based in Gaza. Because of these problems, improving communications between the two Diwan offices is crucial. Improved ICT, enabling greater use of e-mail and shared network files, may help to enhance communication between the two offices.

**Networking.** Both the Gaza and Ramallah offices of the Diwan appear to have relatively well-designed and well-supported local area networks (LANs). The local area network hub in the Ramallah office appears adequate and has a Gamatronic uninterruptible power supply (UPS). The server in the Diwan's Gaza office is an IBM Netfinity 3500, with 130 megabytes of RAM and a 4-gigabyte hard disk. More than 3 gigabytes are still "free," indicating sufficient server hard disk space for the near future. The server seems to be used as a convenient facility for backing up important data files. The network operating system is Windows NT Version 4.0, which is a recent and reliable version. The Diwan office also has an adequate centralized UPS system.

There is a clear need to connect the Diwan's offices in Gaza with their offices in Ramallah using a WAN link. This would reduce the use of fax and voice telephone calls, while increasing the productivity of both offices by making the computer files available over the WAN connection. The Government Computing Center (GCC) is developing a government computer network that connects Gaza and Ramallah. There is some indication that the Ministry of Justice is participating in this network. If so, then including the Diwan in this network may be the best strategy.

ARD's initial recommendation is to use the GCC's computer network to link the Diwan's Ramallah and Gaza offices, if feasible. It is logical for the Diwan to use the same system for connecting Gaza and Ramallah as the Ministry of Justice uses, particularly since the Diwan relies on the Ministry of Justice ICT staff for support. However, if this option is not feasible, ARD recommends developing a WAN for the Diwan, similar to that recommended for the PLC.

A WAN connection using a digital leased line (provided by Paltel) would have recurrent costs of about US\$600/month. Installation costs would be approximately US\$14,000, including operations support during the first year.<sup>2</sup>

**Internet access.** Internet access would be extremely beneficial for the Diwan. Internet e-mail would provide the Diwan staff members with important communication links to counterparts and colleagues locally and internationally. Until a wide area network is implemented, Internet e-mail would facilitate communication and exchange of computer files between the Gaza and Ramallah offices. Since they already have local area networks, and both offices are relatively small, it could be feasible to install one dial-up modem in each office to be shared through server-based proxy software. Installation costs would be minimal. ARD's technical staff members are more than capable of setting up this Internet access in one or both Diwan offices, and to provide training to use it appropriately. To date, the problem has been an inability on the part of the head of the Diwan to obtain Ministry approval to cover the relatively minimal recurrent costs of providing Internet access. ARD may request approval from USAID to assume these recurrent costs for the first year in order to demonstrate the benefits of the Internet and to help create an in-house demand for the service.

**Workstations.** The Diwan is significantly better off than the PLC Legal Department in terms of the number of computer workstations; only one person at the Diwan does not currently have his or her own computer. However, an interview between Mr. Glenn and the Diwan's network administrator indicated that four of the Diwan's workstation computers were significantly outdated or inoperable. It appears that these computers are already at least two years old, in which case it is unlikely that they are worth repairing or updating. The Diwan has formally requested that ARD purchase five new workstations for the office, and a request for approval has been submitted to USAID in order to proceed with this procurement.

**Software.** For most of their needs, the Diwan seems to be using generic office applications software, including MS Word, Excel, and Access. ARD will investigate purchasing additional off-the-shelf software to supplement training. This could include multi-media software for improving English language skills and Arabic-language typing skills. The Diwan has also requested our assistance in purchasing software to help track the Diwan's library collection, as well as training the Diwan's librarian to use this software.

In addition, the Diwan has several customized software needs:

- **Bill-Tracking Application.** The Diwan has a customized "bill tracking" application developed and maintained by the Government Computer Center (GCC). The application was developed through the USAID-funded Checchi/PaL-Tech project to track legislative drafts in process at the Diwan. There are a number of ways that this program could be improved. First, the program could be integrated with the PLC's bill-tracking system to minimize the retyping of information into two separate databases. Second, the program could be expanded

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<sup>2</sup> Details for this strategy can be found in the report, *ARD's Information and Communications Technology Assessment for the PLC*, submitted to USAID in March 2000. That report also includes an extensive discussion of ARD's strategies for connecting PLC's offices in Gaza and Ramallah.

to include workflow management information. The head of the Diwan has requested the ability to print out a report of the drafts assigned to each legislative adviser; ARD believes that this capability should be added to the existing database.

- *Al-Muqtafi Database.* The al-Muqtafi database is a computerized index of all legislation that is or was in effect in Palestine. The Diwan has the al-Muqtafi database installed in both the Gaza and West Bank offices. ARD plans to conduct additional training on this database. There is also a concern that the hard copy of the database in the Ramallah office is incomplete. ARD will investigate this problem and will work to ensure that both the computerized database and the associated hardcopy version is appropriately maintained and utilized.
- *System for Monitoring Subscriptions and Distribution of the Official Gazette.* The Diwan publishes all primary and secondary legislation in the *Official Gazette*. The Diwan has requested assistance in developing a system for monitoring subscriptions to the *Official Gazette*. Such a system would track distribution of the *Official Gazette* and also include the ability to print out mailing labels of subscribers.

**Other ICT equipment needs.** Other than the needs discussed above, there do not appear to be too many critical needs at the Diwan. There does seem to be justification for an additional printer, and ARD would like to move ahead with the procurement of two external modems on the assumption that we will be able to work out an arrangement for funding the recurrent costs of Internet access. The Diwan has made a number of additional requests, including an office laptop, a scanner, protective screens for the monitors, and additional speakers and headphones for their computers. Although these requests may be considered in the future, they are clearly secondary to the immediate ICT equipment needs of the PLC Legal Department.

### **C. The PLC Legal Department**

Just as the Diwan's ICT needs must be considered in the context of the Ministry of Justice's ICT system, the PLC's Legal Department's ICT needs must be considered in the context of the PLC as a whole. In particular, issues relating to networking and Internet access should be resolved on a PLC-wide basis. In general, the Diwan is better equipped and has more senior staff than the PLC Legal Department. While ARD recommends working to bring the PLC Legal Department up to the same level of the Diwan in terms of equipment, procurement should proceed hand in hand with training and improvements in the PLC Legal Department's productivity.

**Networking and Internet access.** The PLC Legal Department's networking and Internet needs will be addressed in the context of the entire PLC. ARD has previously submitted a detailed needs assessment of the information systems of the PLC.<sup>3</sup> This report describes in detail ARD's strategy for linking the Gaza and Ramallah offices of the PLC through the implementation of a wide area network. The report also describes ARD's approach with respect to Internet access.

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<sup>3</sup> The report, prepared by ARD Management Information Systems Specialist, Kim G. Glenn, and entitled *Information Systems Needs Assessment of the Palestinian Legislative Council*, was submitted to USAID in March 2000.



**Workstations.** The general level of computer skills, at least in certain areas, seems to be significantly lower in the PLC Legal Department than the Diwan.<sup>4</sup> This correlates with the fewer number of computers in the PLC Legal Department than in the Diwan. Whereas the Diwan almost has a computer for every staff member, many staff members of the PLC Legal Department share a computer with four or more staff members. Although there is evidence to suggest that computer skills are significantly stronger in the Gaza office than the Ramallah office, the extremely high level of Internet usage reported by certain members of the Gaza office suggests that their computer usage is either inefficient or may not be solely job-related.<sup>5</sup>

ARD recommends that workstations be procured for the PLC Legal Department over the course of the contract so that the number of computers in the PLC Legal Department approaches one per staff member. Spacing this procurement out over the course of the contract will help to ensure that, as new computers are procured, they are efficiently used. The procurement would be combined with training on computer and typing skills. There is some anecdotal evidence to suggest that the PLC Legal Department may be perceived by some in the PLC as overpaid relative to their contribution to the PLC. There may also be a perception that the PLC Legal Department has not taken full advantage of previous assistance; ARD would want to ensure that this perception is not reinforced by providing additional assistance that does not positively impact PLC Legal Department performance.

**Software.** Like the Diwan, the PLC Legal Department seems to be using generic office applications software for most of their work. Additional off-the-shelf software procurement may include software to improve English language skills and Arabic-language typing skills. ARD will explore the development of an improved bill-tracking program based on the database developed by the GCC for the Diwan. Use of a common bill-tracking system will facilitate information sharing between the two offices and avoid retyping information.

**Other ICT equipment needs.** As additional workstations for the PLC Legal Department are purchased, ARD will also procure an additional printer for the Gaza and Ramallah offices. Fax and photocopy needs should be considered in connection with the rest of the PLC, but there is an indication that the photocopiers used by the PLC in Gaza and the West Bank are often out of service. Upgrading this equipment may be appropriate.

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<sup>4</sup> For example, only two of the 15 PLC Legal Department staff members who responded to the questionnaire indicated that they have ever used the computer for doing research using the al-Muqtafi database (13 percent). All but one of the 10 Diwan respondents (90 percent) reported having used the computer for doing research using the al-Muqtafi database. See question number 15 in Appendix A.

<sup>5</sup> Of the four offices, only the PLC Legal Department in Gaza appears to have used the Internet for legal research to any significant extent. See the response to question number 17 in Appendix A. However, three of the seven respondents from the Gaza office reported using the Internet for research more than 5 hours per week, and one reported using the Internet more than 20 hours per week. This seems extremely high and raises questions about the efficiency and job-related nature of this Internet usage. See the response to question number 20 in Appendix A.



### III. Legal Resource Usage and Needs

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Legislative drafting offices require adequate access to legal resource materials. Given the breadth of topics on which legislatures legislate and the limited number of legislative legal staff typically available to a legislature, legislative drafters must be generalists.<sup>6</sup> Although legislative drafting staff should become expert in the art of drafting, they are typically unable to become expert in all of the substantive areas of the law in which they are asked to draft. This necessitates a higher degree of dependence on access to legal resource materials than other areas of legal practice. In addition to copies of all legislation currently in force in a given jurisdiction, drafters often benefit from reviewing legislation in other jurisdictions. The PLC Legal Department and the Diwan should have access to the laws of most of the countries in the region, as well as access to legislation from several Western models, including both common law and civil law systems.

#### A. General Observations

The following legal resource needs appear to be common to both institutions.

**Need for additional collections of laws.** Legislative drafters need access to the laws of other jurisdictions for a number of reasons. First, recourse to models of legislation from other jurisdictions helps to avoid reinventing the wheel. Although jurisdictions may make very different policy choices with respect to a given legislative issue, often there are significant areas of overlap among jurisdictions. In addition, even where the policy makers wish to diverge from the policy choice made by other jurisdictions in the region, it is useful to review the legislation from other jurisdictions to assess the legal impact that this different policy choice may have. Reviewing the legislation of other jurisdictions also helps a legislative drafter to decide what questions to ask the decision makers. For example, if asked to draft a law prohibiting smoking in public places, the legislative drafter may think to ask certain basic questions about the law: What penalties should be specified? How should “public places” be defined? Who should enforce the law? However, once the drafter reviews the laws of other jurisdictions, the drafter is likely to think of a far broader range of questions to pose to the decision makers: Is a private office in a public building public or private? Can a nonpublic area be designated as a smoking area? If so, how must it be segregated from the public area? What ventilation requirements apply? Can people congregate directly in front of a public office building to smoke?

Eighty percent of the respondents to the questionnaire indicated that they did not believe that they had sufficient access to collections of legislation in order to do their job.<sup>7</sup> Although there were some differences among the respondents regarding which collections of laws are highest priority, all agreed that access to additional collections of laws is a very high priority.

**Need for improved English skills.** Many of the respondents to the questionnaire indicated that their lack of English language skills limits their access to Western models of legislation. This is

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<sup>6</sup>The responses to question number 2 in Appendix A support the position that legal advisers with the Diwan and the PLC Legal Department are expected to be able to provide assistance on a broad range of legal topics.

<sup>7</sup> See the responses to question number 6 in Appendix A.

unfortunate because many English language collections of laws are available free on the Internet in full-text searchable format. There are a number of possible strategies for addressing this problem. First, the English language training that ARD is currently providing under this contract may help certain members of the Diwan and the PLC Legal Department to identify relevant legislation on the Internet. Second, the PLC is in the process of developing a translation department; this translation department could be used to translate portions of relevant laws. Another possibility is for the PLC Legal Department and the Diwan to hire (or designate and train a current employee as) a research specialist with advanced English language skills.

## **B. The Diwan**

The Diwan Library is far less advanced than the PLC's Library. The Diwan Library is located only in Gaza; the resources available in-house to the Diwan staff in Ramallah are very limited.<sup>8</sup> The Diwan Library is staffed by a single librarian with limited training. There is no computer system for cataloging and tracking the books in the Diwan's collection. The collection is a small fraction of the collection of the PLC Library; however, the nature of the library is also far more specialized. The Diwan Library is specifically targeted to the legal advisers of the Diwan, whereas the PLC Library also serves Members and other staff units. Despite its relatively weak library, the Diwan's staff, in many ways, is better trained in doing legal research than the PLC Legal Department staff. This is certainly the case with respect to the use of the al-Muqtafi computerized database of Palestinian laws.<sup>9</sup>

In order to improve the Diwan's usage and access of legal resources, ARD sees the following specific needs.

**Training for the librarian and implementing a catalog system.** Training for the Diwan's librarian and implementing a catalog system appears to be the highest priority for developing the Diwan's use of legal resource materials. Before additional procurement of materials is done, there should be a system in place for ensuring the integrity of the Diwan's collection. As the collection grows, it is also important to have a workable system for quickly finding relevant legal materials. The Director of the PLC Library has offered to have some of her senior library staff help in training the Diwan's librarian.<sup>10</sup> ARD will proceed with this training, as well as with implementation of a computerized catalog system, over the next several months. One option to consider would be pairing the Diwan's librarian with a Diwan legal adviser staff member with respect to this training – there are indications that the Diwan's librarian may have difficulty in working with a computerized catalog system.

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<sup>8</sup> Because the Ramallah Office of the Diwan is located across the hall from the World Bank's Legal Development Project, they are able to use the legal resource materials available to this project.

<sup>9</sup> As noted in footnote 4, 13 percent of the PLC Legal Department staff members (compared with 90 percent of the Diwan staff members) report that they have used the computer version of the al-Muqtafi database. See question number 15 in Appendix A.

<sup>10</sup> The Diwan's librarian is unable to obtain a permit to travel to Ramallah, and the Director of the PLC Library had suggested that some of her senior staff in Ramallah could help in doing some of the training. This staff may travel periodically to the PLC's Library in Gaza, and perhaps the training could be worked into these periodic visits by the PLC's Ramallah-based library staff to the PLC's Library in Gaza.

**Providing Internet research training.** Section II.B of this report stressed the need for the Diwan to provide its legal advisers with Internet access. Given the relatively high usage of the al-Muqtafi database, it can be expected that the Diwan's legal advisers would readily benefit from the usage of research materials on the Internet. As noted earlier, the Diwan does not yet have access to the Internet, in part because the Head of the Diwan has not been able to have the Ministry cover the relatively minor recurrent costs for Internet access. Ideally, training in conducting legal research on the Internet would be provided only after the Diwan's staff members have Internet access in their office. ARD will provide some training on Internet research both to members of the Diwan and the PLC Legal Department in the context of the ARD's Legal and Parliamentary English training. However, additional training may be needed when the Diwan gets Internet access in their offices.

**Developing a system for monitoring research requests.** As part of our training of the Diwan's librarian, ARD hopes to develop a system for monitoring requests for materials that are not in the Diwan Library. In both Gaza and Ramallah, staff of the Diwan seems to regularly resort to using other legal libraries, including the PLC Library in Gaza.<sup>11</sup> Procurement should be targeted toward materials that are used frequently to justify procurement of an in-house copy. Tracking interlibrary loan and research requests will enable procurement to be based on actual research needs, rather than on the ad hoc requests of Diwan legal advisers.

**Procuring other legal resource materials.** Requests have been received for legal resource materials other than collections of legislation. In January 2000, ARD procured, for the Diwan offices in Gaza and Ramallah, roughly 400 titles (primarily treatises and secondary research materials) on a broad range of legal topics from the Cairo International Book Fair. This should provide the Diwan with a broad range of secondary research material. The Diwan has also requested that ARD procure collections of case law for their library; we do not intend to proceed with this request at this time. Although case law can be very useful in legislative drafting, particularly in drafting remedial legislation intended to correct ambiguity that has had to be resolved in the court system, it tends to be less useful than model legislation from other jurisdictions. Although the justification for purchasing case law materials is slightly stronger for the Diwan than for the PLC Legal Department because of the broader mission of the Diwan,<sup>12</sup> the procurement of case law materials may more closely fit within other projects designed to strengthen the judiciary and the rule-of-law.

### **C. The PLC Legal Department**

There are several important differences between the Diwan and the PLC Legal Department with respect to their access to legal resource materials. First, the PLC Library is stronger than the Diwan Library, in terms of both its collection and its staff. Although the PLC Library has a significant collection in both Gaza and Ramallah, it is stronger on policy information than on legislation and legal materials. Some library staff members have legal research skills that are as

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<sup>11</sup>Eighty percent of the legal advisers at the Diwan use libraries outside of the Diwan. See question 25 in Appendix A.

<sup>12</sup> In addition to legislative drafting, the Diwan is responsible for providing legal advice and reviewing contracts for the Palestinian Authority.

strong as members of the PLC Legal Department.<sup>13</sup> In general, the PLC Library staff seems to have higher-level English language skills than the Legal Department. Second, there appears to be a higher percentage of younger staff at the PLC Legal Department than in the Diwan<sup>14</sup>; this seems to correspond to a greater familiarity with computers and Internet,<sup>15</sup> although not necessarily with the al-Muqtafi database of Palestinian laws. It may be easier to improve usage of on-line legal resources with a younger staff that is more comfortable with computers. Third, the PLC Legal Department is not as strongly managed as the Diwan and there is greater uncertainty regarding the role of the PLC Legal Department staff members. This point was made by a number of staff members in the strategic planning workshop that ARD held in November 1999. Managerial and administrative problems were also identified on the questionnaire, although it was not designed to obtain this information.<sup>16</sup>

ARD recommends the following for increasing access to legal resource materials in this environment.

**Training for the Legal Department on the al-Muqtafi database of Palestinian law.** Currently, the PLC Legal Department staff is still developing the capacity to research existing Palestinian law. ARD has hired a consultant to provide mentoring on legal research techniques to the PLC Legal Department over a six-month period -- particularly on the use of the al-Muqtafi database. Although training has begun in Ramallah, ARD has not yet been able to obtain a permit for Mr. Qafisheh to travel to Gaza to provide training. Various options for providing this training in Gaza are currently being evaluated. As part of this training, ARD is trying to develop an administrative system that routinely checks draft legislation to ensure that there are no conflicts with preexisting law that are not addressed in the draft legislation.

**Strengthening the PLC Library's collections of regional laws.** After the members of the PLC Legal Department have developed confidence in researching laws currently in effect in the Palestinian territories, ARD will be in a position to also improve their ability to do comparative research. Although the PLC Library's collection is relatively strong, it lacks a solid collection of legislation in the region. The responses to the questionnaire indicated a desire to obtain collections of legislation from the Gulf States and from the West Arab countries, including Morocco, Tunisia, and Algeria. Depending on costs of procuring collections of regional laws, it may not be feasible to purchase multiple copies for all four offices covered by this needs assessment. If this is the case, ARD recommends that a single copy be procured for the PLC Library (either in Ramallah or Gaza). First, as already noted, the PLC Library has systems in place for ensuring the integrity and maintenance of the collection. Second, the PLC Library appears to encourage use of its facilities by researchers outside of the PLC. It also has staff to

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<sup>13</sup> For instance, before ARD began training on the al-Muqtafi database with the PLC Legal Department in Ramallah, a library staff member in Ramallah had greater knowledge of this database than all of the PLC Legal Department staff members.

<sup>14</sup> Five staff members of the PLC Legal Department have less than five years of legal experience; none of the legal advisers at the Diwan has less than five years of experience. See question 1 in Appendix A.

<sup>15</sup> Seven staff members of the PLC Legal Department (compared to none of the staff members at the Diwan) reported that they use the Internet in conducting legal research. See question 17 in Appendix A.

<sup>16</sup> Question 14 in Appendix A indicated a belief that the PLC Legal Department could benefit from an administrative expert.

make copies of research materials for researchers outside of the PLC. Before proceeding with significant procurement for the PLC Library, ARD would want to formalize an interlibrary loan agreement between the Diwan and the PLC Library.

**Using a Train-the-Trainer Approach with Library Staff.** Given the strength of the library staff and the familiarity of some of the PLC staff members with computers and the Internet, ARD should also support training on electronic databases of Western laws. The laws of many Western jurisdictions are available free-of-charge on the Internet. While accessing these laws is relatively low-cost, it does require advanced research and foreign language skills. In this area, ARD proposes to use a train-the-trainer approach with the PLC library staff. We will need to periodically evaluate opportunities to provide this type of training to Library staff. ARD has currently proposed sending the Head of the PLC Library with a delegation to the Annual Meeting of the National Conference of State Legislatures. This Annual Meeting includes training sessions on NCSLnet -- a legislative database that provides access to more than 500,000 legislative reports, bills, statutes, and databases from the 50 states and territories. The conference would also provide excellent networking opportunities for the PLC librarian to meet with legislative librarians from throughout the United States.





## IV. Conclusion: Implementation Strategy

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Sections II and III of this report provide a number of specific recommendations for improving the equipment and legal resource material usage of the PLC Legal Department and the Diwan. In particular, ARD's recommendations on information and communications technology (ICT) equipment include 1) initially supporting the participation of the Diwan in the Government Computing Center's (GCC's) wide area network; 2) if this does not appear to be feasible, supporting dial-up access to the Internet; 3) procuring five additional workstations for the Diwan; 4) enhancing the GCC-developed bill-tracking database for the Diwan and providing it to the PLC; 5) developing a software system for managing the subscriptions to and distribution of the *Official Gazette*; 6) using off-the-shelf software as a low-cost strategy for meeting certain training (e.g., typing and English language skills); 7) procuring workstations for the PLC Legal Department over the course of the contract so that the number approaches one workstation per employee; and 8) purchasing additional printers for the Gaza office of the Diwan and for both offices of the PLC Legal Department. ARD's recommendations for improving access to legal resource materials include 1) procuring additional collections of legislation from other Arab jurisdictions; 2) if it is not feasible to purchase copies for all four offices covered in this assessment, focusing this procurement on the PLC Library; 3) providing training and software to the Diwan librarian to catalog the Diwan's library collection and to monitor research requests; 4) providing English language skills to allow attorneys to access free English language legal resource materials on the Internet; 5) providing Internet research training; 6) continuing to provide training on the al-Muqtafi database; and 7) within the PLC, training the PLC library staff, using a train-the-trainer approach, on computer legal databases.

The procurement of additional ICT equipment and legal resource materials, as well as the provision of additional training on how to use them, provides ARD with a number of opportunities to help promote the achievement of other contract objectives. In particular, ARD intends to use the following implementation strategies.

***Improving the coordination between Gaza and Ramallah offices.*** Both the PLC and the Diwan are continuing to struggle with the problems caused by the geographic and political separation between Gaza and Ramallah and the necessity of maintaining an office in both places. The problem seems far greater with the Diwan than the PLC, given the very small size of its Ramallah office. ARD may be able to provide assistance in the development of administrative systems for improved coordination between Ramallah and Gaza in connection with our procurement of ICT equipment related to Gaza-Ramallah communication. For example, we may use the installation of a wide area network and Internet access for the Diwan as an opportunity to develop an administrative system for e-mailing periodic work reports between Ramallah and Gaza, and for e-mailing files from the Ramallah office to the Gaza office for archival purposes.

***Using procurement and training to reward performance.*** Neither the Diwan nor the PLC Legal Department appear to have a system of performance evaluation that rewards positive performance and sanctions inadequate performance. To date, the project has not had a great deal of success in developing this system of rewards and sanctions. Procurement and training opportunities are often seen as rewards. To the extent possible, without interfering too directly

in the PLC's or Diwan's internal management, ARD would like to try to use these opportunities to reward hard work and good performance.

**Building on respective institutional strengths.** The PLC's Library is a strength of the PLC. ARD would like to take advantage of this strength and to further build upon it. Therefore, in implementing legal research training, we will involve the library staff as well as the legal staff. In some cases, we believe it is appropriate to use the library staff in a train-the-trainer capacity. When additional books need to be procured but it is not cost-efficient to procure copies for all four offices, ARD plans to emphasize procurement for the PLC Library, since it has the greatest capacity to support the collection and facilitate its use. The Gaza office of the PLC seems to have a higher level of Internet usage than the Ramallah office; ARD may want to utilize this strength by involving the strongest Internet users in Gaza to provide some of the training for the Ramallah office.

**Improving coordination between the Diwan and the PLC Legal Department.** Finally, there are a number of ways that ARD can implement the recommendations in this report to promote increased coordination between the Diwan and the PLC Legal Department. The most obvious way is through the provision of joint training, as in the Legal and Parliamentary English training that we are currently providing. Other possibilities for promoting increased coordination between the Diwan and the PLC Legal Department include the development of compatible bill-tracking databases and the development of common interlibrary loan arrangements.